

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHARLES F. CARDONE,)
Petitioner,)
v.) Civil Action No. 06-127-KAJ
THOMAS CARROLL, Warden,)
and CARL C. DANBERG,)
Attorney General of the State)
of Delaware,)
Respondents.)

ORDER

For the reasons set forth in the Memorandum Opinion issued in this action today,
IT IS HEREBY ORDERED that:

1. Charles F. Cardone's petition for a writ of habeas corpus, filed pursuant to 28 U.S.C § 2254, is DISMISSED without prejudice for failure to exhaust state remedies. (D.I. 1; D.I. 12.)
2. Charles F. Cardone's motion to produce docket sheets is DENIED as moot. (D.I. 23.)
3. The court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2).



Kent A. Dorlan
UNITED STATES DISTRICT JUDGE

August 29, 2006
Wilmington, Delaware